

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1. KRISTI GUIN,	)	
	)	
Plaintiff,	)	
	)	Case No. <u>CIV-18-26-C</u>
v.	)	
	)	
1. WILBERT FUNERAL SERVICES,	)	
INC.,	)	
	)	<b>JURY TRIAL DEMANDED</b>
Defendant.	)	<b>ATTORNEY LIEN CLAIMED</b>

**COMPLAINT**

Plaintiff Kristi Guin, by and through her counsel of record, BROWN & GOULD, PLLC, respectfully files this Complaint against Defendant Wilbert Funeral Services, Inc.

**THE PARTIES**

1. Plaintiff Kristi Guin (“**Plaintiff**” or “**Guin**”) is a woman who resides in Oklahoma County, Oklahoma.

2. Defendant Wilbert Funeral Services, Inc. (“**Defendant**” or “**Wilbert Funeral Services**”) is a for-profit corporation that conducts business in the state of Oklahoma.

**JURISDICTION AND VENUE**

3. This civil action involves employment discrimination because of sex in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*



4. Jurisdiction over Plaintiff's federal causes of action is vested in this Court pursuant to 28 U.S.C. § 1331.

5. Plaintiff exhausted her administrative remedies by submitting an Intake Questionnaire with the Equal Employment Opportunity Commission ("EEOC") on or about May 2, 2017, and a Charge of Discrimination with the EEOC, Charge No. 846-2017-22798, on or about May 31, 2017. Plaintiff received her Dismissal and Notice of Rights from the EEOC for that Charge dated October 11, 2017, and files this action within ninety (90) days of receipt of her Dismissal and Notice of Rights.

6. Defendant conducts business in Oklahoma County, Oklahoma, and all acts complained of occurred in or around Oklahoma County. Because Oklahoma County is located within the Western District for the United States District Courts of Oklahoma, venue is proper in this Court pursuant to 28 U.S.C. § 1391(b).

#### **STATEMENT OF FACTS**

7. Guin began her employment with Wilbert Funeral Services in or around September 2013 as an Office Manager.

8. Throughout her employment, Guin performed her job satisfactorily and was qualified for her position.



9. During her employment, Guin was repeatedly subjected to discrimination because of her sex, including a hostile work environment.

10. For example, a male customer service representative and driver named Larry Davis (“**Davis**”) repeatedly harassed and abused Guin because of her sex. This conduct began approximately six (6) months after Guin started and continued throughout her employment.

11. Among other things, Davis repeatedly yelled at Guin, engaged in repeated physical and verbal abuse toward her, and called her derogatory names whose sole purpose is to harass and demean women.

12. Guin was offended by Davis’ conduct and it was not welcome.

13. Davis did not treat male employees in the same discriminatory manner that he treated Guin.

14. Guin repeatedly complained about her disparate treatment to her male superiors, including to Plant Manager Kevin Welles and Regional Vice President Matt Stewart.

15. Both Welles and Stewart refused to take Guin’s complaints seriously and dismissed them by excusing Davis’ behavior.

16. Davis’ discriminatory conduct continued despite Guin’s complaints.



17. As a result of the conduct alleged above, Guin has suffered damages, including lost earnings (past and future), emotional distress, and other equitable and compensatory damages allowed by the Civil Rights Act of 1991.

18. Because Defendant's actions were willful, wanton or, at the least, in reckless disregard of Plaintiff's rights, Plaintiff is entitled to punitive damages as provided by the Civil Rights Act of 1991.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that the Court enter judgment in favor of Plaintiff and against Defendant and assess compensatory damages including but not limited to lost wages, emotional distress damages, and punitive damages, together with pre- and post-judgment interest, costs, attorney's fees, and all other relief as this Court may deem equitable and appropriate and allowed by law.

Respectfully submitted,

s/ Joshua C. Stockton

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